

LINCOLN CITY/LANCASTER COUNTY PLANNING STAFF REPORT

P.A.S.#: Special Permit #1342A
Western Wireless Switch Building

DATE: June 8, 2001

PROPOSAL: To expand an existing switch building to a maximum of 2,600 sq. ft.

GENERAL INFORMATION:

APPLICANT: Brian D. Carstens
Brian D. Carstens and Associates
601 Old Cheney Road - Suite C
Lincoln, NE 68512
(402) 434-2424

LOCATION: 401 West Calvert Street

LEGAL DESCRIPTION: Part of Lot 168 I.T., located in the SE 1/4 of Section 3, T9N, R6E of the 6th P.M., Lancaster County, Nebraska, more particularly described on the attached certificate of ownership.

SIZE: 9.69 acres, more or less

EXISTING ZONING: AG Agricultural

EXISTING LAND USE: Wireless tower with associated building

SURROUNDING LAND USE AND ZONING: AG Agricultural fields and acreages to the north, south and east. Highway 77 bounds the west side of the site, and R-3 Residential acreages are on the west side of Hwy. 77. There are some R-3 Residential lots further to the southeast as well.

COMPREHENSIVE PLAN SPECIFICATIONS: The Land Use Map shows this site as Agricultural.

The application is consistent with the goals to:

- Preserve, protect and promote the character and unique features of rural and urban neighborhoods, including their historical and architectural elements.
- Protect and enhance features which give Lincoln and Lancaster County its distinctive character, supporting a desirable quality of life.

HISTORY: The property was changed from A-A Rural and Public Use to A-1 Residential during the **1967 Zoning Map Change**.

This property was converted from A-1 Residential to R-3 Residential in the **1979 Zoning Update**.

March 29, 1982 City Council approved Change of Zone #1917, which changed the zoning from R-3 Residential to AG Agricultural.

October 4, 1989

Planning Commission approved Special Permit #1342, which permitted a 260' cellular telephone broadcast/reception tower on the property.

SPECIFIC INFORMATION:

UTILITIES: The site is served by well and septic. It lies within the L.E.S. service area.

TOPOGRAPHY: The site generally slopes up from east to west.

TRAFFIC ANALYSIS: W. Calvert is not shown on the Existing or Future Functional Street and Road Classifications.

PUBLIC SERVICE: This area is served by the Southwest Rural Fire District.

ENVIRONMENTAL: Parks & Recreation notes that the placement of street trees is not feasible since 1st Street and W. Calvert are both gravel roads.

AESTHETIC CONSIDERATIONS: Increasingly massive buildings at the base of the tower.

ANALYSIS:

1. Per 27.68.110(a)(1) L.M.C., the maximum floor area for equipment buildings is 450 square feet. At 1,140 sq. ft., the current building is a non-conforming use. The proposed addition is 1,292 sq. ft.; the applicant is requesting a maximum building size of 2,600 sq. ft.
2. Per 27.62.280 L.M.C., in consideration of applications for special permits to expand non-conforming uses, the following criteria shall be given specific consideration:

Effects on adjacent property, traffic, city utility service needs;

The proposed addition enlarges an existing switch building. The impact upon adjacent property should be minimal. Traffic may increase marginally if the increased square footage results in more maintenance calls to the facility.

Density of land use zoning for the subject property and adjacent property;

The area is zoned AG Agricultural with some R-3 Residential across Highway 77 to the west. The subject property is comparable in size to adjacent properties on the east side of Highway 77.

The degree of hardship upon the applicant which would be caused by failure to grant such a permit.

The applicant has not indicated the hardship that would be caused by failure to grant this permit.

3. Section 27.68.110(a)(2) L.M.C. requires screening in accordance with Design Standards around equipment buildings associated with wireless service facilities. The staff report for Special Permit 1342 indicated that although the ordinance of the time did not require it, the applicant would be landscaping the site to screen the building and the tower base. The tower and equipment building shall be adequately screened.
4. The proposed expansion is set back more than 175' from W. Calvert Street, Highway 77, and the closest farming outbuilding. With adequate screening, it should have no adverse impact upon surrounding properties.

STAFF RECOMMENDATION:

Conditional approval

CONDITIONS:

Site Specific:

1. This approval permits the expansion of an existing switch building to a maximum of 2,600 sq. ft.

General:

2. Before receiving building permits:
 - 2.1 The permittee shall complete the following instructions and submit the documents and plans to the Planning Department office for review and approval.
 - 2.1.1 A revised site plan showing the following revisions:
 - 2.1.1.1 Show screening for the tower base and the building in accordance with Design Standards.
 - 2.1.1.2 Dimension the building and the addition on the "New Building Detail" portion of the site plan.
 - 2.1.1.3 Relocate the approval block so that it does not overlap with any lines.
 - 2.1.1.4 Show a blanket utility easement over the lot, excluding building envelopes.
 - 2.2 The construction plans comply with the approved plans.
 - 2.3 The required easements as shown on the site plan are recorded with the Register of Deeds.

STANDARD CONDITIONS:

3. The following conditions are applicable to all requests:

- 3.1 Before occupying this switch building expansion all development and construction is to comply with the approved plans.
 - 3.2 Before occupying the switch building expansion, City/County Health Department is to approve the water and waste water systems.
 - 3.4 All privately-owned improvements, including landscaping, are to be permanently maintained by the owner.
 - 3.7 The site plan accompanying this permit shall be the basis for all interpretations of setbacks, yards, locations of buildings, location of parking and circulation elements, and similar matters.
 - 3.8 This resolution's terms, conditions, and requirements bind and obligate the permittee, its successors and assigns.
 - 3.9 The City Clerk is to file a copy of the resolution approving the permit and the letter of acceptance with the Register of Deeds. The Permittee is to pay the recording fee.
4. The site plan as approved with this resolution voids and supersedes all previously approved site plans, however all resolutions approving previous permits remain in force unless specifically amended by this resolution.

Prepared by

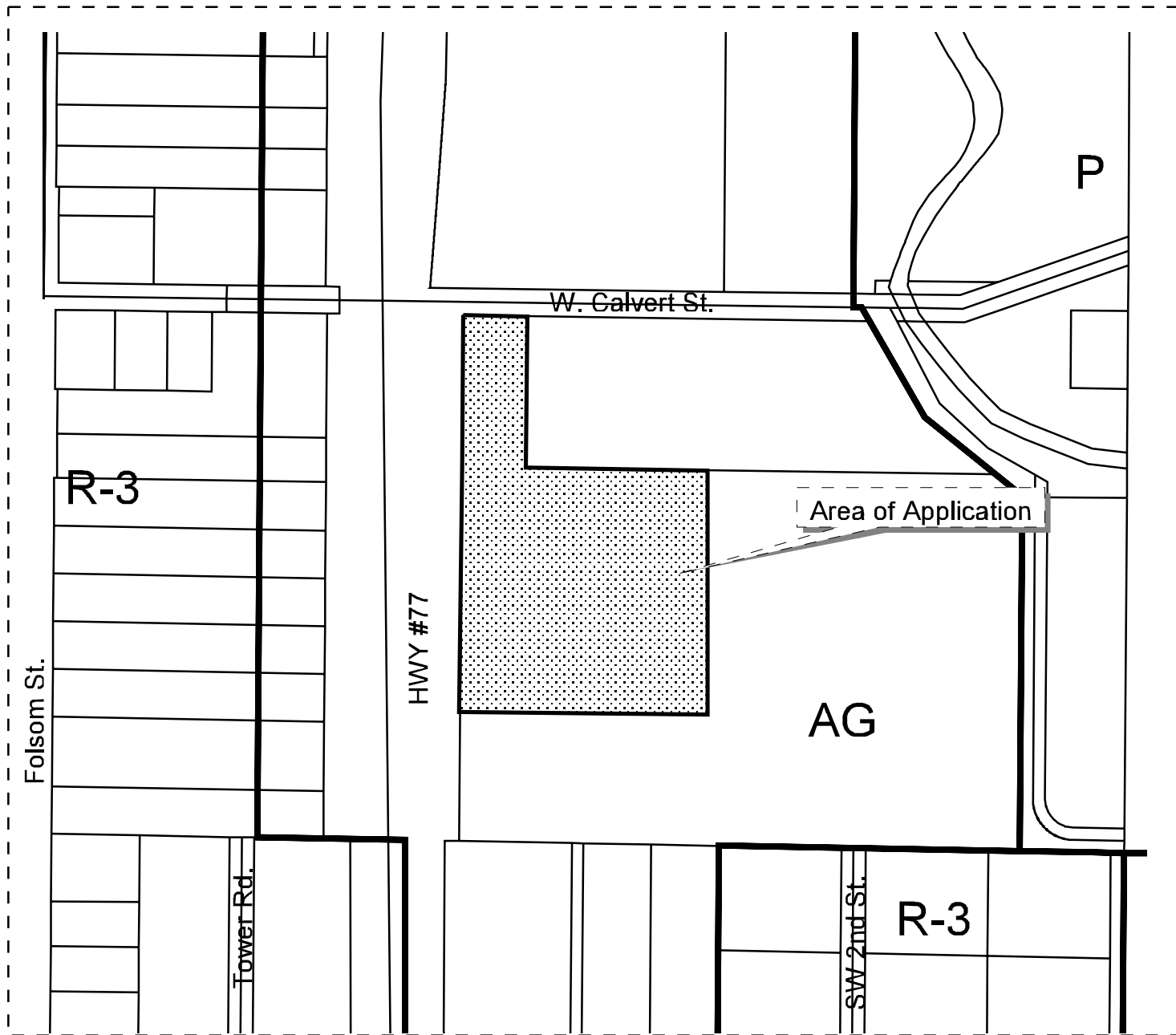
Jason Reynolds
Planner

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Special Permit #1342A
401 W. Calvert St.



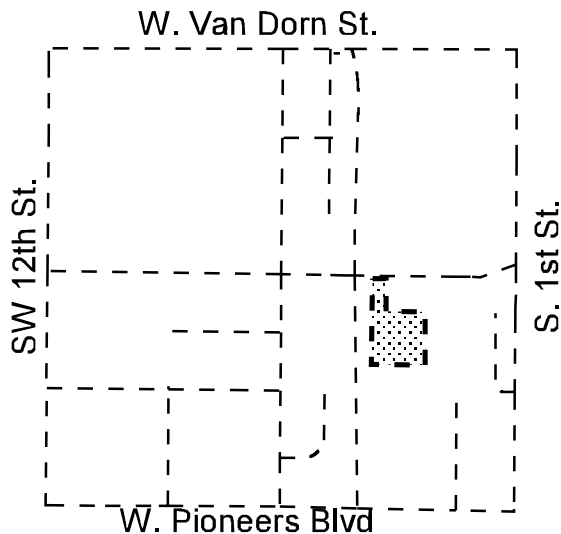
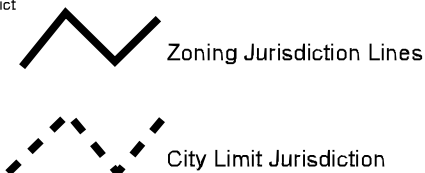


Special Permit #1342A **401 W. Calvert St.**

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

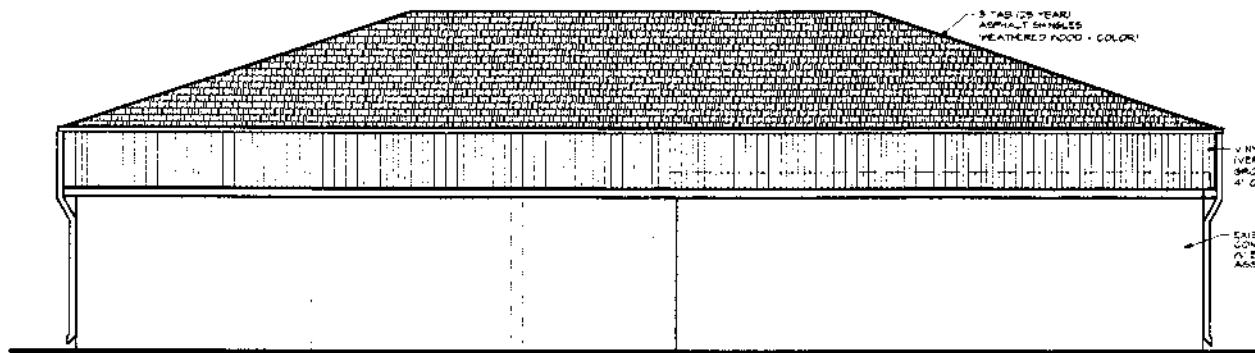
One Square Mile
 Sec. 3 T9N R6E



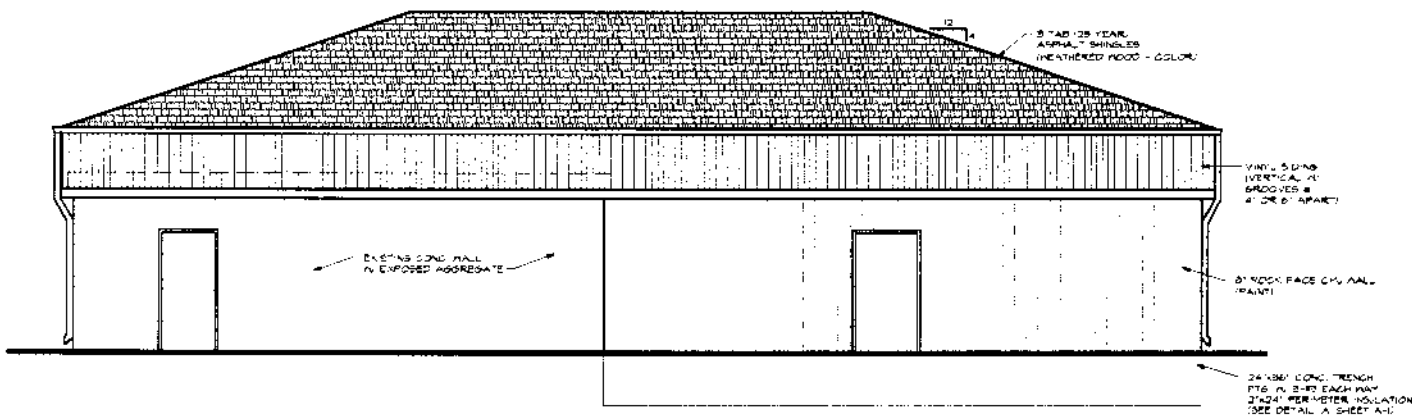
Sheet ___ of ___

Date:

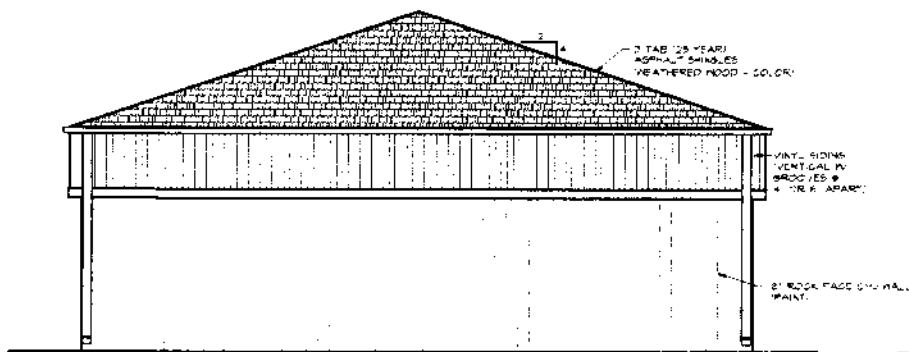
Lincoln City - Lancaster County Planning Dept.



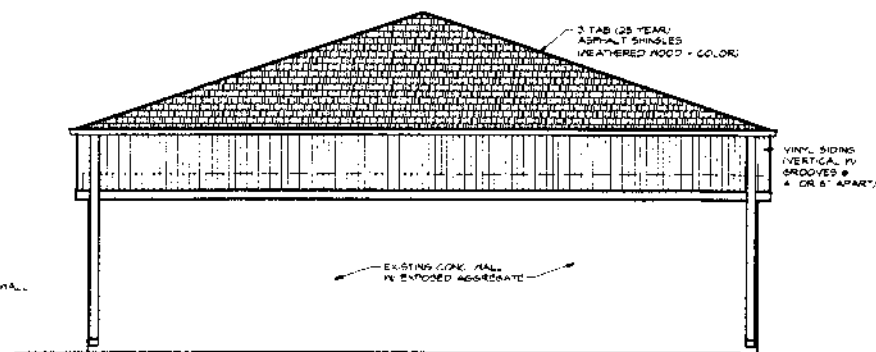
SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



NORTH ELEVATION
SCALE: 1/4" = 1'-0"

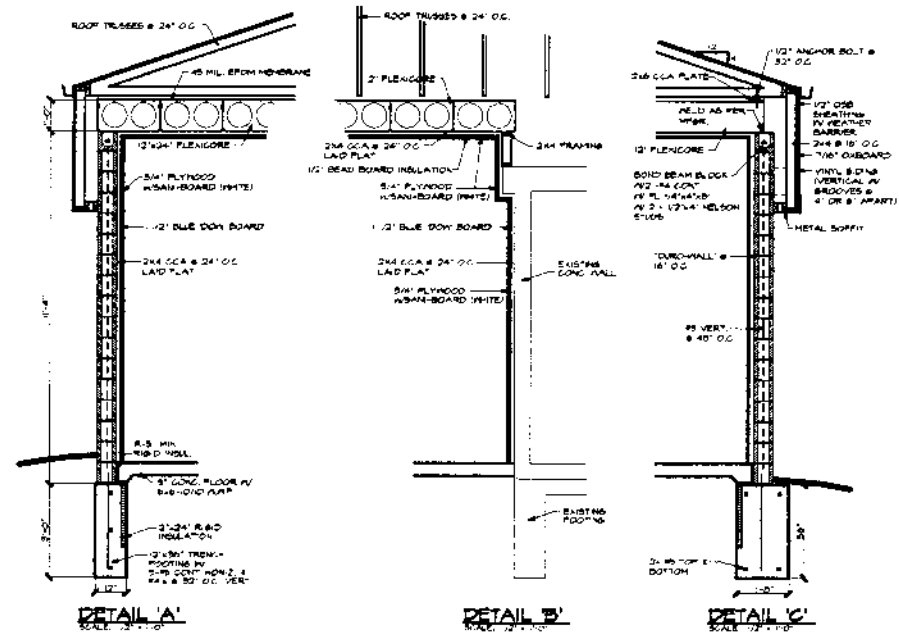
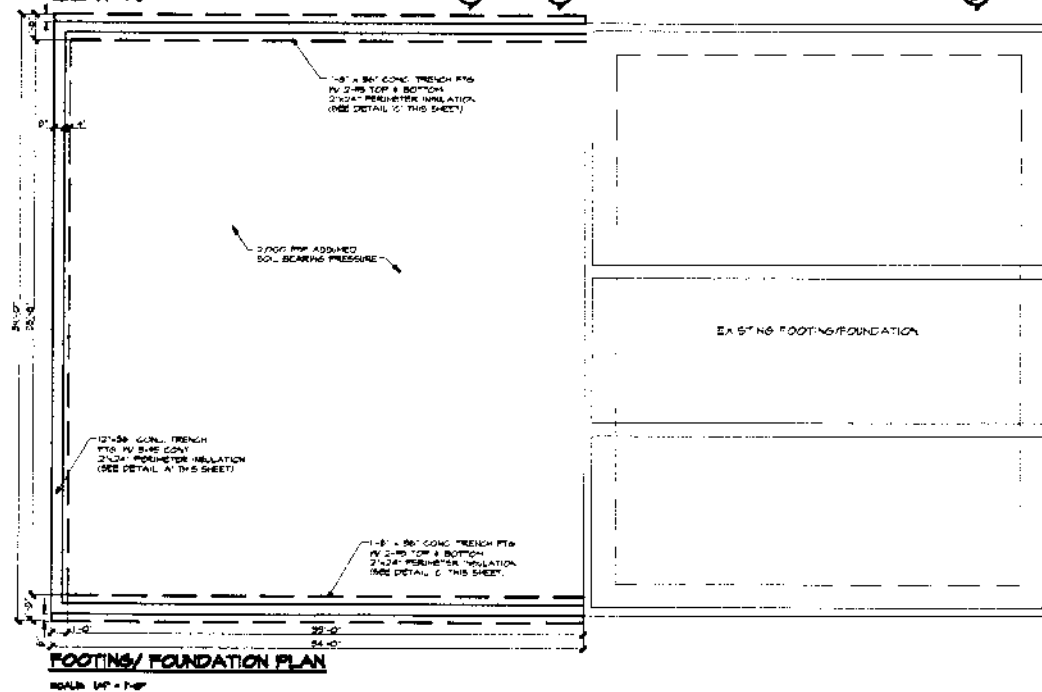


WEST ELEVATION
SCALE: 1/4" = 1'-0"

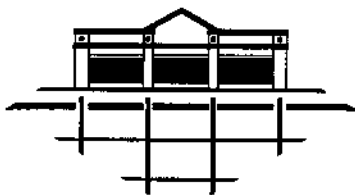


EAST ELEVATION
SCALE: 1/4" = 1'-0"

DETAIL 'D'
SCALE: 1/2" = 1'-0"



**CONTRACTOR SHALL VERIFY
ALL DIMENSIONS AND DETAILS
PRIOR TO CONSTRUCTION**



BRIAN D. CARSTENS AND ASSOCIATES

LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN

601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

May 31, 2001

Ms. Kathleen Sellman, AICP
Director of Planning
Lincoln City- Lancaster County
Planning Department
555 South 10th Street
Lincoln, NE 68508

RE: SPECIAL PERMIT NO. 1342-A
(401 W. CALVERT ST.)

Dear Ms. Sellman,

On behalf of Western Wireless Corporation, we are submitting the following Special Permit for an "Extension or Enlargement of a Nonconforming Use" (Chapter 27.61.040) for your review. The permit contains an existing 260 foot cellular tower and an existing switch building. With this permit we are attaching an addition onto the existing switch building and adding a lagoon. We are requesting this special permit due to the fact that with the adoption of the "Wireless Communication Ordinance" the existing switch building became "Nonconforming" due to the building size. With adding the lagoon the temporary holding tank will be removed.

No other changes are being made to the existing cellular tower. We have shown a proposed loop road around the building and tower.

We have included the following items in our submittal packet:

Special Permit Fee of \$585.00

8 1/2x 11 Building Plans for the Equipment Building

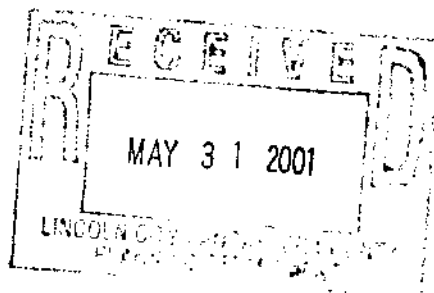
16 copies of the Special Permit Site Plan

Please contact me if you have any further questions or comments on this application.

Sincerely,

Brian D. Carstens

cc: Craig Vogt





INTER-DEPARTMENT COMMUNICATION

DATE May 7, 2001

TO Ray Hill, City Planning ~ *SEAN/FEB*

FROM Sharon Theobald
(Ext. 7640)

SUBJECT DEDICATED EASEMENTS
DN #36S-3W

Attached is the Site Plan for Western Wireless Switch Building Addition.

ALLTEL, Time Warner Cable, and the Lincoln Electric System will require blanket utility easements, excluding building envelopes, over the entire development.

A handwritten signature in cursive script that reads "Sharon Theobald".

ST/nh
Attachment
c: Terry Wiebke
Easement File

RECEIVED

MAY - 8 2001

Memorandum

To: Ray Hill, Planning Department — JENNIFER
From: Gary Lacy, Public Works and Utilities LL
Subject: Administrative Amendment #01036, to Special Permit #99 & #100. 341 W. Calvert
Date: May 7th, 2001
cc: Roger Figard, Nicole Fleck-Tooze

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the Administrative Amendment #01036. Public Works has no objections to this request.



City of Lincoln, Nebraska

IMPORTANT

All revisions to plans must include Building Permit # and Job Address.

Return this report with two sets of corrected plans. The corrections noted below are required to be made to the plans prior to issuance of a permit. Please indicate under each item where the correction is made by plan sheet number or plan detail number.

A separate set of plans for review and final approval must be submitted by the licensed installing contractor/s if fire suppression systems, sprinklers, dry powder, fire alarm systems or underground tanks are installed.

Plan Review Comments

Permit # **DRF01064**

Address

Job Description: **WESTERN WIRELESS CORP CELLTOWE**

Location: **WESTERN WIRELESS CORP**

Special Permit: **Y 1342A**

Preliminary Plat: **N**

Use Permit: **N**

CUP/PUD: **N**

Requested By **RAY HILL ~ JAH**

Status of Review: **Approved**

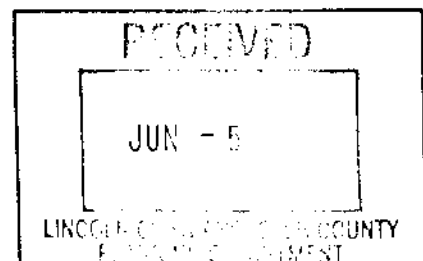
Reviewer: **FIRE PREVENTION/LIFE SAFETY CODE**

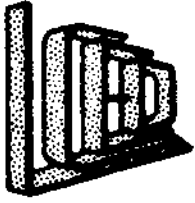
BOB FIEDLER

Comments:

Current Codes in Use Relating to Construction Development in the City of Lincoln:

- 1997 Uniform Building Code and Local Amendments
- 1994 Nebraska Accessibility Guidelines (Patterned after and similar to ADA guidelines)
- 1989 Fair Housing Act As Amended Effective March 12, 1989
- 1979 Zoning Ordinance of the City of Lincoln as Amended including 1994 Parking Lot Lighting Standards
- 1992 Lincoln Plumbing Code (The Lincoln Plumbing Code contains basically the 1990 National Standard Plumbing Code and local community Amendments.)
- 1999 National Electrical Code and Local Amendments
- 1997 Uniform Mechanical Code and Local Amendments
- 1994 Lincoln Gas Code
- 1994 NFPA 101 Life Safety Code
- 1997 Uniform Fire Code and Local Amendments
- Applicable NFPA National Fire Code Standards





Lancaster

County

Engineering

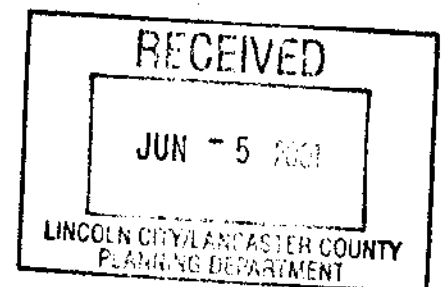
Department

DON R. THOMAS - COUNTY ENGINEER

DEPUTY- LARRY V. WORRELL
COUNTY SURVEYOR

DATE: June 4, 2001
TO: Ray Hill - *JA 5/22/01*
Planning Department
FROM: Larry V. Worrell *L.V.W.*
County Surveyor
SUBJECT: SPECIAL PERMIT #1342-A
WESTERN WIRELESS CORP. CELL TOWER BUILDING

Upon review, this office has no direct objections to this submittal.



LVW/rin

Memorandum

To: Ray Hill, Planning Department

From: Charles W. Baker, Public Works and Utilities *CWB*

Subject: Special Permit # 1342A, Western Wireless Corp. Cell Tower Building

Date: June 14, 2001

cc: Roger Figard, Nicole Fleck-Tooze

The City Engineer's Office of the Department of Public Works and Utilities has reviewed the site plan for the proposed Cell Tower Building for the site located near 1st and Calvert Streets.

Public Works has no objections. The existing drive access will remain the same. There is no sanitary sewer available to serve this site. Approval of the lagoon will be the responsibility of the Health Department.

